



TERRY GODDARD
ATTORNEY GENERAL

OFFICE OF THE ATTORNEY GENERAL
STATE OF ARIZONA

OFFICE OF VICTIM SERVICES

March 10, 2005

RE: State v. Repp, Elizabeth Ann Et Al.
Cause Number: 5-5934

Dear Sir/Madam:

This letter is to inform you that a trial has been scheduled for co-defendants Elizabeth Ann Repp and Brian Lee Warner in the above-referenced case. It is set to begin on **May 4, 2005 at 9:30 a.m.** before the Honorable Jeffrey S. Cates, Maricopa County Superior Court, Central Court Building (CCB), Courtroom 7D, 201 West Jefferson, Phoenix, Arizona 85007, (602) 506-3551. Prior to the trial, a trial management conference is scheduled for **April 27, 2005 at 8:30 a.m.** before the Honorable Jeffrey S. Cates in the courtroom mentioned above. Please keep in mind that it is common for trials to be continued. If you plan to attend the trial, or would like an advocate to attend with you, please contact our office at least one working day in advance. We are also available to answer your questions and to help you in any way we can.

If your testimony is necessary at the trial, you will be subpoenaed by the Assistant Attorney General. A subpoena is a court order which requires you to be available to testify from the time and date on your subpoena, until such time as you are specifically excused.

As you are aware, plea negotiations are in progress with co-defendant Brian Lee Warner. Assistant Attorney General Todd Lawson has asked me to inform you that plea negotiations are now in progress with Elizabeth Ann Repp for a non-trial resolution of the case. The State has proposed a plea agreement that will allow the defendant to plead guilty to Amended Count 1: Attempted Fraudulent Schemes and Artifices, a class 3 felony with one prior felony conviction. The defendant will be subject to a possible penalty range of 3.5 years to 16.25 years imprisonment.

The agreement also stipulates the following additional terms regarding Elizabeth Ann Repp:

- The defendant shall be sentenced to the Department of Corrections for a term left to the discretion of the Court.
- The defendant agrees to pay restitution to the individual and corporate entity victims listed in the case for costs and expenses related to the theft and use of their personal identifying information, in an amount not to exceed \$10,000.00 per person.
- The defendant agrees to pay restitution to all entity victims for the costs of goods and services purchased by the defendant and co-defendant using the personal identifying information of others in an amount not to exceed \$10,000.00 per entity.
- Counts 2-8 and the allegation of other previous felony convictions will be dismissed.

If co-defendant Elizabeth Ann Repp agrees to the proposed terms, a change of plea hearing will be scheduled. The judge will then decide at the change of plea hearing whether to accept or reject the plea agreement. If either the defendant or the judge rejects the plea agreement, the case will proceed to trial.

As the victim of a crime you have the right to speak with the prosecutor regarding the terms of this plea offer. You also have the right to be present and heard at the change of plea hearing. If you wish to exercise these rights it is important that you contact our office. We can advise you in the event of a delay or continuance, can arrange to be with you during the hearing, or assist you in scheduling an appointment with the prosecutor to discuss the plea

If you have sustained a financial loss as a result of the defendants' actions, please send proof of such to our office as soon as possible. You may send your restitution claim to the address or fax number below. Keep in mind, the judge may not order restitution without proof of loss. Ultimately, the final determination regarding any order of restitution rests with the court.

Please continue to keep our office informed of any changes in your name, address or phone number. If you have any questions or if I can be of further assistance, please call me office at (602) 542-8457 or 1-866-742-4911 between 8:00 a.m. - 5:00 p.m., Monday through Friday.

Sincerely,

Elisha Elder
Advocate

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